

Patent
030727.0037 CIP1

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In re the Application of:

Paul D. Van Poelje, et al.

Application No.: 09/900,364

Filed: July 5, 2001

Title: COMBINATION OF FBPA
INHIBITORS AND ANTIDIABETIC
AGENTS USEFUL FOR THE
TREATMENT OF DIABETES

)
) Group Art Unit: 1614

)
) Examiner: To be assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with the Applicants' duty under 37 CFR 1.56, the following information is brought to the attention of the Examiner. The items are listed on the attached Form PTO/SB/08A and copies are enclosed for the convenience of the Examiner.

The items identified in this Information Disclosure Statement may or may not be "material" pursuant to 37 CFR 1.56 and the submission thereof by Applicants shall not be construed as an admission that any such patent, publication or other information referred to

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therein is material or considered to be material (37 CFR 1.97(h)), or even qualifies as "prior art" under 35 U.S.C. § 102 with respect to this invention unless specifically designated by Applicants as such.


The filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR 1.56, exists.

This Information Disclosure Statement is believed to be timely in that it is being submitted under 37 CFR 1.97(b)(3) before the mailing of a first Office Action on the merits. Therefore, no petition or fee is required. If, however, counsel for Applicants is in error in this regard, the Commissioner is authorized to charge the fee set forth in 37 CFR 1.17(p) to counsel's Deposit Account No. **50-1273**.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Dated: 12/19/01

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Sheet 1 of 3

Complete if Known

Application Number 09/900,364
Filing Date July 5, 2001
First Named Inventor Paul D. Van Poelje
Group Art Unit 1614
Examiner Name To be assigned
Attorney Docket Number 030727.0037.CIP1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	5,658,889		Gruber, et al.	08/19/1997	
	AB	6,054,587		Reddy, et al.	04/25/2000	
	AC	6,110,903		Kasibhatla, et al.	08/29/2000	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	AD	EP	0 427 799	B1	Gensia Pharmaceuticals, Inc.	11/30/1994		
	AE	WO	98/39342	A1	Metabasis Therapeutics, Inc.	09/11/1998		
	AF	WO	98/39343	A1	Metabasis Therapeutics, Inc.	09/11/1998		
	AG	WO	98/39344	A1	Metabasis Therapeutics, Inc.	09/11/1998		
	AH	WO	00/14095	A1	Metabasis Therapeutics, Inc.	03/16/2000		
	AI	WO	00/27401	A1	Warner-Lambert Company	05/18/2000		
	AJ	WO	01/32157	A2	Bristol-Myers Squibb Company	05/10/2001		
	AK	WO	01/52825	A2	Novartis AG	07/26/2001		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AL	CLORE, et al., "Glucose-6-Phosphatase Flux In Vitro is Increased in Type 2 Diabetes," <u>Diabetes</u> , 49:969-974 (2000)	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation is not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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First Named Inventor	Paul D. Van Poelje
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Attorney Docket Number	030727.0037.CIP1

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Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AM	FOLEY, "Rationale and Application of Fatty Acid Oxidation Inhibitors in Treatment of Diabetes Mellitus," <u>Diabetes Care</u> , 15(6):773-784 (1992)	
	AN	GASTALDELLI, et al., "Influence of Obesity and Type 2 Diabetes on Gluconeogenesis and Glucose Output in Humans," <u>Diabetes</u> , 49:1367-1373 (2000)	
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	AV	NAUCK, et al., "Influence of Glucagon-Like Peptide 1 on Fasting Glycemia in Type 2 Diabetic Patients Treated With Insulin After Sulfonylurea Secondary Failure," <u>Diabetes Care</u> , 21(11):1925-1931 (1998)	
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	AX	PANTEN, et al., "Control of Insulin Secretion By Sulfonylureas, Meglitinide and Diazoxide in Relation to Their Binding to the Sulfonylurea Receptor in Pancreatic Islets," <u>Biochemical Pharmacology</u> , 38(8):1217-1229 (1989)	
	AY	PERRIELLO, et al., "Evidence of Increased Systemic Glucose Production and Gluconeogenesis in an Early Stage of NIDDM," <u>Diabetes</u> , 46:1010-1016 (1997)	
	AZ	PETERSEN, et al., "Effects of a Novel Glucagon Receptor Antagonist (Bay 27-9955) on Glucagon-Stimulated Glucose Production in Humans," <u>Diabetologia</u> , 44:2018-2024 (2001)	

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	BA	REAVEN, et al., "Effect of Acarbose on Carbohydrate and Lipid Metabolism in NIDDM Patients Poorly Controlled by Sulfonylureas," <u>Diabetes Care</u> , 13(Suppl. 3):32-36 (1990)	
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	BD	TURNER, et al., "Glycemic Control With Diet, Sulfonylurea, Metformin, or Insulin in Patients With Type 2 Diabetes Mellitus," <u>JAMA</u> , 281(21):2005-2012 (1999)	
	BE	WAJNGOT, et al., "Quantitative Contributions of Gluconeogenesis to Glucose Production During Fasting in Type 2 Diabetes Mellitus," <u>Metabolism</u> , 50(1):47-52 (2001)	